

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**JESUS SANTIAGO,**

Plaintiff,

-against-

**BRIAN FISCHER, individually and as  
Commissioner of the New York State  
Department of Corrections and Community  
Supervision, et. al.,**

Defendants.

**NOTICE OF CROSS APPEAL**

Index No. 12-CV-02137 (KAM) (ST)

PLEASE TAKE NOTICE that plaintiff JESUS SANTIAGO hereby appeals to the United States Court of Appeals for the Second Circuit from the judgment of the United States District Court for the Eastern District of New York (Matsumoto, DJ) entered on September 30, 2017 (Dkt. No. 92), solely to the limited extent that summary dismissal was granted in Defendants' favor, and Plaintiff's motion for summary judgment on liability against Defendants was denied, for the time period after February 6, 2008.

Dated: New York, New York  
May 30, 2023

**Rickner PLLC**

By: /s/

Joel Wertheimer  
Rob Rickner

14 Wall Street, Suite 1603  
New York, New York 10005  
Phone: (212) 300-6506  
Fax: (888) 390-5401  
*Attorney for Plaintiff*